

AMENDED

APPLICATION FOR PERMIT

Serial No. 6856

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 26 1923
Returned to applicant for correction JAN 27 1923
Corrected application filed March 28, 1923.

The undersigned R. Meaker & J. H. Heward

Name of applicant

of Gerlach, County of Washoe,

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Nigger Creek

Name of stream, lake, or other source

2. The amount of water applied for is 4.00

One-second-foot equals 40 miners' inches

acres

second-feet.

3. The water to be used for Irrigation

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

In the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10, T. 35 N., R. 23 E.

Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 400

(b) Description of land to be irrigated E $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 34 and NW $\frac{1}{4}$ Sec. 35, and W $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 35 & the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ Sec. 35, T. 35 N., R. 23 E.

Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

R. 23 E.

(c) Irrigation will begin about April 1st and end about October 1st, of each year.

Month

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located

Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.

(f) Point of return of water to stream

Describe in same manner as point of diversion.

(g) Remarks

DESCRIPTION OF PROPOSED WORKS

To be diverted by means of the reservoir dam. Situation of the same being _____
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
in the NW¹ of Section 10, T. 35 N., R. 23 E. Water to be diverted to land
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.
by means of ditches.

5. Estimated cost of works five thousand dollars

6. Estimated time required to construct works five years

7. Remarks _____

For use of applicant

R. Meaker & J.H. Heward, Applicant.

By R. Meaker

Compared Other Payne

This sheet inspected _____

, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1600 acre feet per second.

Actual construction work shall begin on or before August 7, 1925

Proof of commencement of work shall be filed before September 7, 1925

Work must be prosecuted with reasonable diligence and be completed on or before August 7, 1928

Proof of completion of work shall be filed before September 7, 1928

Application of water to beneficial use shall be made on or before

August 7, 1931. Proof of the application of water to beneficial use must be filed with State Engineer on or before September 7, 1931

WITNESS MY HAND AND SEAL this 7th day

Controlled 6/29/34 because of difficulty
in applying to comply with provisions of permit

of May 1925.

R. Meaker
State Engineer.

This permit is issued subject to all prior rights on the source. The amount of water herein granted is placed at 1600 acre feet for the total acreage proposed to be irrigated, notwithstanding the fact that this land has already been granted a water right from Red Mountain Creek under permit No. 3331, so that such amount of water may be stored and used in the event that there is no water whatever available for use from said Red Mountain Creek. However, the total amount of water granted from the combined sources described in the two permits, exclusive of the land which is eventually allowed a vested right under permit No. 4048 (granted to Theresa Heward to change the place of use of water claimed under a vested right from Red Mountain Creek secured by her from the Gerlach Livestock Company), shall not exceed the statutory allowance for the maximum acreage of land enumerated therein.

The land for which a vested right is claimed, as shown by the proof of beneficial use when filed under permit No. 4048, together with such areas as may be claimed in the proof of beneficial use under permit No. 3331, will automatically be eliminated from any right to the use of water from the source named herein, upon the filing of said proofs of beneficial use. In this way, the land for which a vested right is claimed by Theresa Heward under permit No. 4048 and the areas irrigated under permit No. 3331, both for water from Red Mountain Creek, will be segregated from the land irrigated from Nigger Creek under this permit. Such segregation is necessary so that certificates can be issued for the land to which the water from each source under each permit is appurtenant. A substantial headgate and weir must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times.

